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Paper No. 15

In re Application of
Shozo Oguri *et al*
Application No. 09/764,318
Filed: January 19, 2001
Attorney Docket No. 2001.0046A

: DECISION ON
: RENEWED PETITION

This is a decision on the renewed petition filed on January 13, 2004 by which petitioners again request withdrawal of the examiner's holding that this application stands abandoned for failure to file a proper and timely reply to the Office action dated May 2, 2003. The petition is considered pursuant to 37 CFR 1.181, and no fee is required.

The renewed petition is granted.

Petitioners again allege that this application is not abandoned because a timely and proper reply to the Office letter in question was in fact filed on July 29, 2003, a date within the time set by the Office letter in question for filing a reply thereto. In support of this renewed allegation, petitioners have now supplied a copy of the reply and a copy of formal drawings filed with the reply, together with a copy of a post card receipt as submitted with the original petition showing that the reply and the formal drawings were in fact filed in the Office on July 29, 2003.

Accordingly, the Notice of Abandonment is hereby vacated, the holding of abandonment is withdrawn, and the application is restored to pending status. The application is being forwarded to the examiner for action on the reply filed on July 29, 2003.

PETITION GRANTED.

E. Rollins-Cross, Director

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